

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ERIC D'ERCOLE,

Plaintiff,

vs.

ACCESS COMMERCIAL LLC, and KOURI
MANAGEMENT,

Defendants.

8:21CV236

MEMORANDUM AND ORDER

This matter is before the Court on correspondence from Plaintiff Eric D'Ercole filed on January 11, 2024. [Filing No. 12](#). The envelope used to mail the correspondence included the case number for the present case (8:21cv236), [Id. at 29](#), but the materials within the envelope consist of a Clerk's Notice of receipt of Plaintiff's complaint in Case No. 8:14CV291 dated September 25, 2014, [Id. at 1–2](#), and copies of documents from a bankruptcy case in the Northern District of Illinois, Eastern Division, [Id. at 3–28](#). The Court cannot ascertain what Plaintiff is requesting by submitting these materials and, therefore, will take no action on them. Plaintiff is further advised that this matter is closed and he should refrain from filing any more materials in this case.

The Court notes that Plaintiff filed previous correspondence with the Court on December 12, 2023, [Filing No. 7](#), which the Court addressed in a Memorandum and Order entered on December 14, 2023, [Filing No. 9](#), informing Plaintiff that this matter was closed and to not file any more materials in this case. The Court's December 14, 2023, Memorandum and Order was sent to Plaintiff at his last known address at the Douglas County Department of Corrections, but was returned to the Court as

undeliverable.¹ See [Filing No. 11](#). Accordingly, the Court will direct the Clerk's office to send a copy of this Memorandum and Order and the December 14, 2023, Memorandum and Order to Plaintiff at the address the Court obtained from Plaintiff's state court records.² See [Filing No. 7](#) (alluding to Plaintiff's November 17, 2023, arrest and custody on pending charges stemming from arrest).

IT IS THEREFORE ORDERED:

1. The Court will not take any action on Plaintiff's correspondence, [Filing No. 12](#). This matter is closed and Plaintiff should refrain from filing further materials in this case.

2. The Clerk of the Court is directed to send a copy of this Memorandum and Order; the Court's December 14, 2023, Memorandum and Order, [Filing No. 9](#); and the December 14, 2023, Reassignment Order, [Filing No. 8](#), to Plaintiff at the following address: 5111 Cass Street, Omaha, NE 68132.

Dated this 16th day of January, 2024.

BY THE COURT:

A handwritten signature in black ink, appearing to read "J F Bataillon", with a stylized flourish at the end.

Joseph F. Bataillon
Senior United States District Judge

¹ The order reassigning this matter to the undersigned was also returned to the Court as undeliverable. See [Filing No. 8](#); [Filing No. 10](#).

² See *State v. Eric J. Dercole*, Case No. CR23-19043, County Court of Douglas County, Nebraska. This Court has been afforded access to the computerized record keeping system for the Nebraska state courts. Nebraska's judicial records may be retrieved on-line through the JUSTICE site, <https://www.nebraska.gov/justice/case.cgi>.